

**IN THE UNITED STATE DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

UNITED STATES OF AMERICA,

V.

CRIMINAL ACTION NO. 2:25-cr-00052

KENNETH McCORD,

DEFENDANT.

MOTION TO TRANSFER KENNETH MCCORD

Now comes Defendant Kenneth McCord, by counsel, Timothy J. Lafon, and the law firm of Ciccarello, Del Giudice & LaFon and moves this Honorable Court to enter an Order requiring transfer of Kenneth McCord from Carter County Correctional Facility to South Central Regional Jail in Charleston, West Virginia. In support thereof Defendant states as follows:

1. The Defendant is presently housed in Carter County Correctional Facility in Carter County, Kentucky, which is approximately one and one half hours from the Defendant's counsel and the location of pending trial of this matter.
2. Carter County Correctional Facility is deficient in accessibility by the Defendant to documents and other items necessary for proper defense of his case.
3. An example of said deficiency is that the Defendant is not allowed pursuant to Carter County rules to have any paper documents applicable to his case kept with him in the jail.
4. The only accessibility to said documents is through computer kiosk area that is

shared by all the inmates of Carter County Correctional Facility which severely limits the amount of time that the Defendant can access his documents. Given the need for all the other inmates to use the same computer equipment the Defendant's time on the computer is limited.

5. Accessibility by Defendant's counsel is limited because of the distance between the location of the pending trial, defense counsel and Carter County Correctional Facility.

6. In addition the length of appointments that counsel may visit with Defendant is limited at Carter County Correctional Facility which would be the only opportunity for the Defendant to have access to paper discovery.

THEREFORE, a move by the Defendant back to the South Central Regional Jail would cause no harm to any party in this case and therefore Defendant moves this Honorable Court to transition Defendant from Carter County Correctional Facility to South Central Regional Jail and for such other and further relief as the Court deems appropriate.

KENNETH McCORD

By Counsel,

/s/ Timothy J. LaFon
Timothy J. LaFon, (WV #2123
Michael J. Del Giudice (WV #982)
1219 Virginia St, East, Suite 100
Charleston, WV 25301
Counsel for Defendant

**IN THE UNITED STATE DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

UNITED STATES OF AMERICA,

V.

CRIMINAL ACTION NO. 2:25-cr-00052

KENNETH McCORD,

DEFENDANT.

CERTIFICATE OF SERVICE

I, Timothy J. LaFon, do hereby certify that the foregoing **“MOTION TO TRANSFER KENNETH MCCORD”** has been served upon all parties via the Court’s electronic filing system on the 3rd day of April 2025:

Jennifer Rada Herrald, Esquire
Assistant United States Attorney
300 Virginia Street East
Room 4000, United States Courthouse
Charleston, WV 25301

CICCARELLO, DEL GIUDICE & LAFON

By: /s/ Timothy J. LaFon
Timothy J. LaFon (WV #2123)
Michael J. Del Giudice (WV #982)
Attorney for Defendant